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Rep. Carfagna: Thank you Chairman LaRe, Vice Chair Swearingen, and Ranking Member Leland for the opportunity to testify today on HB 166, the Reagan Tokes Act.

On February 8, 2017, Reagan Tokes was walking to her car after work in the Short North around 9:30pm. Less than twelve hours later her body was found naked in Scioto Grove Metro Park. She had been raped and shot twice in the head.

The man that kidnapped, raped, and killed Reagan had recently been released from prison. He was on parole and was being monitored by a GPS tracker. Nonetheless, he was able to commit six armed robberies in the German Village neighborhood prior to abducting Reagan.

In the 132nd General Assembly, the House nearly unanimously passed HB 365, the Reagan Tokes Act, which included changes to criminal sentencing laws and changes to post release control monitoring. The Senate introduced a companion bill to the Reagan Tokes Act, but the Senate divided HB 365 into 2 separate bills--SB 201, which addressed changes to criminal sentencing and SB 202, which provided changes to post release control monitoring. Ultimately, SB 201 was passed by both chambers and signed into law by Governor Kasich. In the 133rd General Assembly, the remaining aspects of the Reagan Tokes Act were introduced as HB 215 and it passed unanimously out of the Criminal Justice committee in December 2020. This General Assembly, HB 166 is the amended version that was fully supported out of committee during Lame Duck and it will make the necessary changes to post release control supervision.

We believe that if these common sense measures were in place in 2017, then they would have protected Reagan and the numerous other women that Reagan's murderer victimized while he was on parole.

Rep. Boggs: First, HB 166 requires that every GPS monitor have restrictions, either inclusionary or exclusionary zones affiliated with that monitor based on the parolee's specific circumstances. An inclusionary zone is a home address, or a work address, that lets the monitor know where the parolee is supposed to be during certain hours. If the parolee is not at the address, the monitor will be notified. Placing restrictions on GPS monitors is necessary because it is the only way the monitor will have any context to know if the person is where they are supposed to be.

Secondly, the bill requires the ODRC to develop a plan within twenty-four months to establish a reentry system for felons that are rejected from the private reentry programs. Currently, Ohio contracts with several private companies that assist parolees in the transition from prison to society. These companies provide parolees housing, workforce development, and a supportive environment to enhance their continued rehabilitation. These companies do good work, but they will not work with felons that are considered too violent or dangerous for their programs. Consequently, the most violent and dangerous felons, like Reagan's murderer, are the ones that should have the strictest oversight and strongest guardrails, but they are released back into society at large.

HB 166 also requires the ODRC to create standards for parole officer caseload sizes. We have significantly less parole officers today than we did ten years ago. Unfortunately, we do not have less people on parole. Our parole and probation officers are the only proactive law enforcement we have—their goal is to prevent crime, not react to crime. My mother used to say that an ounce of prevention is worth a pound of cure. We cannot measure how many times a probation officer prevents a crime from occurring, thereby saving unknown victims and countless state resources. We can, however, measure whether our probation staffing size, working hours, and resources are on par with national standards and with other states. Requiring the ODRC to set forth these standards will foster transparency and provide a true reflection of our parole system.

Additionally, HB 166 will set forth an ongoing study commission to be housed under the Ohio Criminal Sentencing Commission to ensure that our post release control supervision policies are in step with national best practices. The policies set forth by the Reagan Tokes Act are a genuine attempt to codify some common-sense measures—developing a reentry framework so our most violent felons aren't released from prison homeless, adopting standards for parole officer workloads, are concepts that most people assume are already happening. It is our hope that this bill, named in recognition of Reagan Tokes, not only addresses the immediate necessary reforms, but also serves as the foundation to build through this established committee an ongoing conversation about best policies to enhance the safety and security of communities.

We would like to thank the committee for their time and welcome any questions.